

# EXHIBIT 3

DONALD MELLAY Attorneys Eyes Only  
LOANDEPOT.COM vs CROSSCOUNTRY MORTGAGE

May 12, 2023

1

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 -----x  
5 LOANDEPOT.COM, LLC,

6 Plaintiff,

7 v.

8 CROSSCOUNTRY MORTGAGE, LLC, STANISLAV ALESHIN,  
9 KEISHA ANTOINE, ANTHONY AYALA, SCOTT BONORA,  
10 FAHEEM HOSSAIN, STUART KOLINSKY, BARRY KOVEN,  
11 DANIEL KWIATKOWSKI, JAROSLAW KWIATKOWSKI,  
12 YUSHENG LIU, ROBERT LONDON, ENRICO MARTINO,  
13 DANIEL MEIDAN, SCOTT NADLER, GIOVANNI NAVAREZ,  
14 DAVID OSTROWSKY, EMLELINE RAMOS, ROBERT RAUSH,  
15 RAFAEL REYES, MICHAEL SECOR, LLEWELLYN TEJADA,  
16 ILYA VAYSBERG, ERIKA VIGNOLA and YAN ZHENG,

17 Defendants.  
18 -----x

19 \* CONTAINS ATTORNEYS' EYES ONLY PORTIONS \*

20 DEPOSITION OF DONALD MELLAY

21 900 Third Avenue

22 New York, New York

23 May 12, 2023

24 9:15 a.m.

25 Reported By:  
Cheryll Kerr, CSR  
Job No. J9659256

1 D. Mellay

2 (Thereupon, a document was marked by the  
3 shorthand reporter as Mellay Exhibit 1 for  
4 identification.)

5 MR. LOPEZ: It's a text message on  
6 December 9, 2021.

7 BY MR. LOPEZ:

8 Q. Do you recognize this text message?

9 A. Yes.

10 Q. Was this -- it says:

11 "Michael, it was great to connect with you today.  
12 Appreciate you taking the time. Safe drives and looking  
13 forward to continuing our conversation next Wednesday."

14 Is this the first time that you met --

15 Well, had you met in person with Mr. Secor before  
16 sending this text message?

17 A. No.

18 Q. So what does "safe drives" refer to?

19 A. I don't remember.

20 Q. Okay. Was this the first time --

21 You were talking about connecting with him that  
22 day. Was this the first time you spoke with him?

23 A. Yes.

24 Q. By the way, at any point, has anyone at  
25 CrossCountry asked you for your text messages in

1 D. Mellay  
2 connection with this litigation?

3 A. No.

4 Q. Okay.

5 (Pause.)

6 BY MR. LOPEZ:

7 Q. All right.

8 You can stop with that document. Did you also hire  
9 Ms. Ramos?

10 A. Yes.

11 Q. Does she work at Danbury?

12 A. She lives in Florida but is tied to Danbury.

13 Q. Was she recommended to you by Mr. Secor?

14 A. No.

15 Q. Oh. How did you come to hire her, then?

16 A. She was his assistant.

17 **CONFIDENTIAL - ECF No. 95**  
18  
19  
20  
21  
22  
23

24 Q. So you offered to hire his assistant?

25 A. Yes.